

# HOUSE BILL 936

E2, E4

(0lr0191)

## ENROLLED BILL

— Judiciary/Judicial Proceedings —

Introduced by **The Speaker (By Request – Administration) and Delegates Conway, Mathias, Busch, Carter, G. Clagett, Davis, Ivey, Kelly, Minnick, Schuler, Simmons, Valderrama, ~~and Vaughn~~ Vaughn, Frank, Aumann, George, Jennings, McComas, Olszewski, Shank, Smigiel, Stifler, McConkey, Barnes, Conaway, Dumais, Kramer, Rosenberg, Anderson, Dwyer, Levi, Ramirez, Hecht, Bobo, Carr, Frick, Glenn, Hucker, Kullen, Lee, Montgomery, Murphy, Niemann, Rice, ~~and Rudolph~~ Rudolph, and Schuh**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 ~~Criminal Procedure~~ Crimes – Sex Offenders – Notification ~~and~~ Registration,  
3 and Penalties

4 FOR the purpose of increasing the maximum and mandatory minimum penalties for a  
5 person convicted of rape in the second degree of a child under the age of 13 years;  
6 increasing the maximum and mandatory minimum penalties for a person  
7 convicted of sexual offense in the second degree against a child under the age of  
8 13 years; altering certain requirements relating to the registration of

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics indicate opposite chamber/conference committee amendments.*



1 individuals who have committed certain offenses on a certain registry; altering  
2 the offenses for which a person can be required to register on a certain registry  
3 for committing, attempting to commit, or conspiring to commit; requiring  
4 certain persons to register on a certain registry if they have been convicted of  
5 certain crimes in certain countries; ~~altering the requirements for registration on~~  
6 ~~a certain registry for a certain person granted probation before judgment;~~  
7 providing that certain requirements for a person to register on a certain registry  
8 are to be applied retroactively under certain circumstances; providing for the  
9 calculation of a certain term of registration; altering certain requirements for  
10 persons under a certain age to register on a certain registry under certain  
11 circumstances; requiring a certain person to be included in a certain listing of  
12 juvenile sex offenders; specifying that a certain listing of juvenile sex offenders  
13 shall be accessible only by law enforcement personnel for law enforcement  
14 purposes; requiring a certain person to be removed from a certain listing of  
15 juvenile sex offenders at a certain time; establishing that certain individuals  
16 who are under the protection of certain witness protection programs are exempt  
17 from certain registration requirements; altering certain time periods relating to  
18 certain registration, notice, and reporting requirements; requiring certain sex  
19 offenders to register in person with ~~a~~ certain local law enforcement ~~unit~~ units  
20 within certain time periods; providing that a certain sex offender may be  
21 required to provide certain additional information to a certain local law  
22 enforcement unit; establishing that a person is a resident for purposes of a  
23 certain offender registry if the person has a home or other place where the  
24 person habitually lives located in the State at the time of a certain event;  
25 establishing that a certain registrant shall register with a certain supervising  
26 authority within a certain period of time after the registrant begins to  
27 habitually live in the State; requiring a certain homeless registrant to register  
28 in person with a local law enforcement unit within certain time periods;  
29 requiring a certain homeless registrant to register with a local law enforcement  
30 unit at certain intervals; establishing that certain registration requirements for  
31 a homeless registrant are in addition to certain other requirements; requiring a  
32 registrant who was homeless and obtains a fixed address to register with a local  
33 law enforcement unit within a certain time period; requiring a certain  
34 registrant who makes changes in certain identifying information to send a  
35 certain notice to a local law enforcement unit within a certain time period;  
36 requiring a certain sexual offender registrant who establishes a new electronic  
37 mail address, computer log-in or screen name or identity, instant-message  
38 identity, or electronic chat room identity to provide written notice to the sexual  
39 offender registry of the new information within a certain period after  
40 establishing the new address, name, or identity; requiring certain notifications  
41 by certain registrants to be made by reporting in person; requiring certain  
42 registrants to notify a certain local law enforcement unit when the registrant  
43 leaves the United States under certain circumstances or temporarily moves;  
44 requiring a certain notification to be made in a certain manner; adding to the  
45 requirements of a certain registration statement; requiring a certain registrant  
46 to provide a digital image instead of a photograph under certain circumstances;  
47 requiring a certain registrant to provide a palm print; repealing an exemption

from a certain requirement to provide DNA for a certain person convicted of a misdemeanor; altering the terms of registration for certain sex offenders on a certain registry; authorizing ~~certain terms~~ ~~a certain term~~ certain terms of registration to be reduced under certain circumstances; requiring a certain notification relating to the registration of a certain sex offender to be sent to certain school superintendents, schools, school principals, police departments, and certain entities relating to children; requiring local law enforcement units to provide certain notifications to the Department of Public Safety and Correctional Services; expanding certain notification requirements relating to the residence of a certain registrant to include ~~the~~ each county where the registrant habitually lives or intends to habitually live; requiring a certain supervising authority to notify ~~the~~ each local law enforcement unit where a registrant resided or habitually lived in the event of a certain escape or recapture; expanding the authority of a local law enforcement unit to notify entities of the location of a certain sex offender to include notifying child care centers issued a certain letter of compliance; providing that the Department is responsible for receiving and distributing certain communications and notifying certain jurisdictions of certain information; prohibiting certain registration information provided to the public from including certain information; altering a certain provision to require the Department to post certain information about a registrant on the Internet; requiring the Department to post on the Internet, in plain language that can be understood without special knowledge of the criminal laws of the State, a description of the crime of a sex offender registrant, excluding details that would identify the victim; requiring the Department to provide certain information relating to out-of-state registration status on a certain Internet posting; altering a certain prohibition to provide that a registrant may not fail to provide certain notice, whether written or in person; prohibiting a certain person required to register as a sexual offender from knowingly failing to provide any information required to be included in a registration statement; requiring the Department, in consultation with the Department of State Police, to adopt certain regulations on or before a certain date; providing that certain provisions of this Act are severable under certain circumstances; making certain conforming changes; defining certain terms; altering certain terms; repealing certain terms; and generally relating to sex offender registration offenders.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 3–304 and 3–306

Annotated Code of Maryland

(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 11–701, ~~11–702~~, 11–702.1, 11–704 through 11–710, 11–712, 11–713,

11–714, 11–717, 11–718(a), ~~and 11–721~~ 11–721, and 11–723 to be under

the amended subtitle “Subtitle 7. Sex Offender Registration”

Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 11-702 and 11-703  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Criminal Procedure  
Section 11-704.1 and 11-704.2  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
MARYLAND, That the Laws of Maryland read as follows:

**Article – Criminal Law**

3-304.

(a) A person may not engage in vaginal intercourse with another:

(1) by force, or the threat of force, without the consent of the other;

(2) if the victim is a mentally defective individual, a mentally incapacitated individual, or a physically helpless individual, and the person performing the act knows or reasonably should know that the victim is a mentally defective individual, a mentally incapacitated individual, or a physically helpless individual; or

(3) if the victim is under the age of 14 years, and the person performing the act is at least 4 years older than the victim.

(b) A person 18 years of age or older may not violate subsection (a)(1) or (2) of this section involving a child under the age of 13 years.

(c) (1) Except as provided in paragraph (2) of this subsection, a person who violates subsection (a) of this section is guilty of the felony of rape in the second degree and on conviction is subject to imprisonment not exceeding 20 years.

(2) (i) Subject to subparagraph (iv) of this paragraph, a person 18 years of age or older who violates subsection (b) of this section is guilty of the felony of rape in the second degree and on conviction is subject to imprisonment for not less than [5] 15 years and not exceeding [20 years] LIFE.

1                   (ii) A court may not suspend any part of the mandatory  
2 minimum sentence of [5] 15 years.

3                   (iii) The person is not eligible for parole during the mandatory  
4 minimum sentence.

5                   (iv) If the State fails to comply with subsection (d) of this section,  
6 the mandatory minimum shall not apply.

7           (d) If the State intends to seek a sentence of imprisonment for not less than [5]  
8 15 years under subsection (c)(2) of this section, the State shall notify the person in  
9 writing of the State's intention at least 30 days before trial.

10 3-306.

11           (a) A person may not engage in a sexual act with another:

12                   (1) by force, or the threat of force, without the consent of the other;

13                   (2) if the victim is a mentally defective individual, a mentally  
14 incapacitated individual, or a physically helpless individual, and the person  
15 performing the sexual act knows or reasonably should know that the victim is a  
16 mentally defective individual, a mentally incapacitated individual, or a physically  
17 helpless individual; or

18                   (3) if the victim is under the age of 14 years, and the person performing  
19 the sexual act is at least 4 years older than the victim.

20           (b) A person 18 years of age or older may not violate subsection (a)(1) or (2) of  
21 this section involving a child under the age of 13 years.

22           (c)   (1) Except as provided in paragraph (2) of this subsection, a person  
23 who violates this section is guilty of the felony of sexual offense in the second degree and  
24 on conviction is subject to imprisonment not exceeding 20 years.

25                   (2)   (i) Subject to subparagraph (iv) of this paragraph, a person 18  
26 years of age or older who violates subsection (b) of this section is guilty of the felony of  
27 sexual offense in the second degree and on conviction is subject to imprisonment for not  
28 less than [5] 15 years and not exceeding [20 years] LIFE.

29                   (ii) A court may not suspend any part of the mandatory  
30 minimum sentence of [5] 15 years.

31                   (iii) The person is not eligible for parole during the mandatory  
32 minimum sentence.

*(iv) If the State fails to comply with subsection (d) of this section, the mandatory minimum shall not apply.*

*(d) If the State intends to seek a sentence of imprisonment for not less than **[5]** 15 years under subsection (c)(2) of this section, the State shall notify the person in writing of the State's intention at least 30 days before trial.*

## Article – Criminal Procedure

### Subtitle 7. **SEX OFFENDER** Registration [of Certain Offenders].

11–701.

(a) In this subtitle the following words have the meanings indicated.

(b) “Board” means the Sexual Offender Advisory Board.

(c) [“Child sexual offender” means a person who:

(1) has been convicted of violating § 3–602 of the Criminal Law Article;

(2) has been convicted of violating any of the provisions of the rape or sexual offense statutes under §§ 3–303 through 3–307 of the Criminal Law Article for a crime involving a child under the age of 15 years;

(3) has been convicted of violating the fourth degree sexual offense statute under § 3–308 of the Criminal Law Article for a crime involving a child under the age of 15 years and has been ordered by the court to register under this subtitle;

(4) has been convicted in another state or in a federal, military, or Native American tribal court of a crime that, if committed in this State, would constitute one of the crimes listed in items (1) and (2) of this subsection; or

(5) (i) has been adjudicated delinquent for an act involving a victim under the age of 15 years that would constitute a violation of § 3–303, § 3–304, § 3–305, or § 3–306 of the Criminal Law Article if committed by an adult; and

(ii) meets the requirements for registration under § 11–704(c) of this subtitle.

(d)] “Commission” means the Maryland Parole Commission.

**[(e)] (D)** “Employment” means an occupation, job, or vocation that is full time or part time for a period exceeding 14 days or for an aggregate period exceeding

30 days during a calendar year, whether financially compensated, volunteered, or for the purpose of government or educational benefit.

**[(f)] (E)** “Extended parole supervision offender” means a person who:

(1) is a sexually violent predator;

(2) has been convicted of a violation of § 3–303, § 3–304, § 3–305, § 3–306(a)(1) or (2), or § 3–307(a)(1) or (2) of the Criminal Law Article;

(3) has been convicted of a violation of § 3–309, § 3–310, or § 3–311 of the Criminal Law Article or an attempt to commit a violation of § 3–306(a)(1) or (2) of the Criminal Law Article;

(4) has been convicted of a violation of § 3–602 of the Criminal Law Article for commission of a sexual act involving penetration of a child under the age of 12 years; or

(5) has been convicted more than once of a crime as a [child sexual offender, an offender, or a sexually violent offender] **TIER I SEX OFFENDER, TIER II SEX OFFENDER, OR TIER III SEX OFFENDER.**

**(F) (1) “HABITUALLY LIVES” MEANS ANY PLACE WHERE A PERSON LIVES ~~OR~~, SLEEPS, OR VISITS WITH ANY REGULARITY, INCLUDING WHERE A HOMELESS PERSON IS STATIONED DURING THE DAY OR SLEEPS AT NIGHT.**

**(2) “HABITUALLY LIVES” INCLUDES ANY PLACE WHERE A PERSON VISITS FOR LONGER THAN 5 HOURS PER VISIT MORE THAN 5 TIMES WITHIN A 30-DAY PERIOD, ~~FOR THE PURPOSE OF LIVING OR SLEEPING.~~**

**(G) “HOMELESS” MEANS HAVING NO FIXED RESIDENCE.**

**(H) “IMPRISONMENT” MEANS INCARCERATION PURSUANT TO A CONVICTION, REGARDLESS OF THE NATURE OF THE INSTITUTION IN WHICH THE OFFENDER SERVES THE SENTENCE.**

**(I) “JURISDICTION” MEANS A STATE OR A NATIVE AMERICAN TRIBE THAT ELECTS TO FUNCTION AS A REGISTRATION JURISDICTION UNDER FEDERAL LAW.**

**[(g)] (J)** “Local law enforcement unit” means the law enforcement unit in a county that has been designated by resolution of the county governing body as the primary law enforcement unit in the county.

1           [(h) “Offender” means a person who is ordered by a court to register under  
2 this subtitle and who:

3                   (1)    has been convicted of violating § 3–503 of the Criminal Law  
4 Article;

5                   (2)    has been convicted of violating § 3–502 of the Criminal Law Article  
6 or the fourth degree sexual offense statute under § 3–308 of the Criminal Law Article,  
7 if the victim is under the age of 18 years;

8                   (3)    has been convicted of the common law crime of false imprisonment,  
9 if the victim is under the age of 18 years and the person is not the victim’s parent;

10                  (4)    has been convicted of a crime that involves soliciting a person  
11 under the age of 18 years to engage in sexual conduct;

12                  (5)    has been convicted of violating the child pornography statute  
13 under § 11–207 of the Criminal Law Article;

14                  (6)    has been convicted of violating any of the prostitution and related  
15 crimes statutes under Title 11, Subtitle 3 of the Criminal Law Article if the intended  
16 prostitute or victim is under the age of 18 years;

17                  (7)    has been convicted of a crime that involves conduct that by its  
18 nature is a sexual offense against a person under the age of 18 years;

19                  (8)    has been convicted of an attempt to commit a crime listed in items  
20 (1) through (7) of this subsection; or

21                  (9)    has been convicted in another state or in a federal, military, or  
22 Native American tribal court of a crime that, if committed in this State, would  
23 constitute one of the crimes listed in items (1) through (8) of this subsection.]

24           **[(i)] (K)**   (1)   Except as otherwise provided in this subsection, “release”  
25 means any type of release from the custody of a supervising authority.

26                   (2)    “Release” means:

27                           (i)    release on parole;

28                           (ii)   mandatory supervision release;

29                           (iii)   release from a correctional facility with no required period of  
30 supervision;

31                           (iv)   work release;



1 (v) placement on home detention; and

2 (vi) the first instance of entry into the community that is part of  
3 a supervising authority's graduated release program.

4 (3) "Release" does not include:

5 (i) an escape; or

6 (ii) leave that is granted on an emergency basis.

7 [(j) "Sexually violent offender" means a person who:

8 (1) has been convicted of a sexually violent offense;

9 (2) has been convicted of an attempt to commit a sexually violent  
10 offense; or

11 (3) (i) has been adjudicated delinquent for an act involving a  
12 victim 15 years of age or older that would constitute a violation of § 3–303, § 3–304, §  
13 3–305, or § 3–306 of the Criminal Law Article if committed by an adult; and

14 (ii) meets the requirements for registration under § 11–704(c) of  
15 this subtitle.]

16 [(k)] (L) "Sexually violent offense" means:

17 (1) a violation of §§ 3–303 through 3–307 or §§ 3–309 through 3–312 of  
18 the Criminal Law Article;

19 (2) assault with intent to commit rape in the first or second degree or  
20 a sexual offense in the first or second degree as prohibited on or before September 30,  
21 1996, under former Article 27, § 12 of the Code; or

22 (3) a crime committed in another [state or in a federal, military, or  
23 Native American tribal jurisdiction] **JURISDICTION, FEDERAL OR MILITARY**  
24 **COURT, OR FOREIGN COUNTRY** that, if committed in this State, would constitute one  
25 of the crimes listed in item (1) or (2) of this subsection.

26 [(l)] (M) "Sexually violent predator" means[:

27 (1)] a person who:

28 [(i)] (1) is convicted of a sexually violent offense; and

1                    [(ii)] (2)        has been determined in accordance with this subtitle  
2 to be at risk of committing another sexually violent offense[; or

3                    (2)        a person who is or was required to register every 90 days for life  
4 under the laws of another state or a federal, military, or Native American tribal  
5 jurisdiction].

6                    (N)        “SEX OFFENDER” MEANS A PERSON WHO HAS BEEN CONVICTED OF:

7                    (1)        AN OFFENSE THAT WOULD REQUIRE THE PERSON TO BE  
8 CLASSIFIED AS A TIER I SEX OFFENDER, TIER II SEX OFFENDER, OR TIER III SEX  
9 OFFENDER;

10                    (2)        AN OFFENSE COMMITTED IN ANOTHER STATE OR IN A  
11 FEDERAL, MILITARY, OR TRIBAL JURISDICTION THAT, IF COMMITTED IN THIS  
12 STATE, WOULD REQUIRE THE PERSON TO BE CLASSIFIED AS A TIER I SEX  
13 OFFENDER, TIER II SEX OFFENDER, OR TIER III SEX OFFENDER; OR

14                    (3)        AN OFFENSE IN A COURT OF CANADA, GREAT BRITAIN,  
15 AUSTRALIA, NEW ZEALAND, OR ANY OTHER FOREIGN COUNTRY WHEN THE  
16 UNITED STATES DEPARTMENT OF STATE HAS DETERMINED IN ITS COUNTRY  
17 REPORTS ON HUMAN RIGHTS PRACTICES THAT AN INDEPENDENT JUDICIARY  
18 GENERALLY OR VIGOROUSLY ENFORCED THE RIGHT TO A FAIR TRIAL DURING  
19 THE YEAR IN WHICH THE CONVICTION OCCURRED THAT, IF COMMITTED IN THIS  
20 STATE, WOULD REQUIRE THE PERSON TO BE CLASSIFIED AS A TIER I SEX  
21 OFFENDER, TIER II SEX OFFENDER, OR TIER III SEX OFFENDER.

22                    (O)        “STUDENT” MEANS AN INDIVIDUAL WHO IS ENROLLED IN OR  
23 ATTENDS AN EDUCATION INSTITUTION, INCLUDING A PUBLIC OR PRIVATE  
24 SECONDARY SCHOOL, TRADE OR PROFESSIONAL SCHOOL, OR AN INSTITUTION  
25 OF HIGHER EDUCATION.

26                    [(m)] (P)        “Supervising authority” means AN AGENCY OR PERSON THAT IS  
27 RESPONSIBLE FOR COLLECTING THE INFORMATION FOR THE INITIAL  
28 REGISTRATION OF A SEX OFFENDER AND IS:

29                    (1)        the Secretary, if the registrant is in the custody of a correctional  
30 facility operated by the Department;

31                    (2)        the administrator of a local correctional facility, if the registrant,  
32 including a participant in a home detention program, is in the custody of the local  
33 correctional facility;

1           (3)     the court that granted the probation or suspended sentence, except  
2 as provided in item (12) of this subsection, if the registrant is granted probation before  
3 judgment, probation after judgment, or a suspended sentence;

4           (4)     the Director of the Patuxent Institution, if the registrant is in the  
5 custody of the Patuxent Institution;

6           (5)     the Secretary of Health and Mental Hygiene, if the registrant is in  
7 the custody of a facility operated by the Department of Health and Mental Hygiene;

8           (6)     the court in which the registrant was convicted, if the registrant's  
9 sentence does not include a term of imprisonment or if the sentence is modified to time  
10 served;

11           (7)     the Secretary, if the registrant is in the State under terms and  
12 conditions of the Interstate Compact for Adult Offender Supervision, set forth in Title  
13 6, Subtitle 2 of the Correctional Services Article, or the Interstate Corrections  
14 Compact, set forth in Title 8, Subtitle 6 of the Correctional Services Article;

15           (8)     the [Secretary, if the registrant moves to this State and was  
16 convicted in another state of a crime that would require the registrant to register if the  
17 crime was committed in this State] **LOCAL LAW ENFORCEMENT UNIT WHERE THE**  
18 **SEX OFFENDER IS A RESIDENT, IS A TRANSIENT, OR HABITUALLY LIVES ON**  
19 **MOVING FROM ANOTHER JURISDICTION OR FOREIGN COUNTRY THAT REQUIRES**  
20 **REGISTRATION IF THE SEX OFFENDER IS NOT UNDER THE SUPERVISION,**  
21 **CUSTODY, OR CONTROL OF ANOTHER SUPERVISING AUTHORITY;**

22           [(9)    the Secretary, if the registrant moves to this State from another  
23 state where the registrant was required to register;

24           (10)    the Secretary, if the registrant is convicted in a federal, military, or  
25 Native American tribal court and is not under supervision by another supervising  
26 authority;

27           (11)    the Secretary, if the registrant is not a resident of this State and  
28 has been convicted in another state or by a federal, military, or Native American tribal  
29 court;

30           (12)] **(9)**     the Director of Parole and Probation, if the registrant is  
31 under the supervision of the Division of Parole and Probation; or

32           [(13)] **(10)**   the Secretary of Juvenile Services, if the registrant was a  
33 minor at the time the act was committed for which registration is required.

34           **(Q)    “TIER I SEX OFFENDER” MEANS A PERSON WHO HAS BEEN**  
35 **CONVICTED OF:**

1           (1) CONSPIRING TO COMMIT, ATTEMPTING TO COMMIT, OR  
2 COMMITTING A VIOLATION OF § 3-308 OF THE CRIMINAL LAW ARTICLE, ~~IF THE~~  
3 ~~VICTIM IS AN ADULT;~~

4           (2) CONSPIRING TO COMMIT, ATTEMPTING TO COMMIT, OR  
5 COMMITTING A VIOLATION OF § 3-902 OR § 11-208 OF THE CRIMINAL LAW  
6 ARTICLE ~~OR THE COMMON LAW OFFENSE OF INDECENT EXPOSURE,~~ IF THE  
7 VICTIM IS A MINOR;

8           ~~(3) CONSPIRING TO COMMIT, ATTEMPTING TO COMMIT, OR~~  
9 ~~COMMITTING THE COMMON LAW OFFENSE OF INDECENT EXPOSURE, IF THE~~  
10 ~~VICTIM IS A MINOR AND THE COURT MAKES A SPECIFIC FINDING ON THE~~  
11 ~~RECORD THAT THE DEFENDANT'S UNDERLYING INTENT WAS SEXUAL IN~~  
12 ~~NATURE;~~

13           ~~(3) (4) (3)~~ A CRIME COMMITTED IN A FEDERAL, MILITARY, TRIBAL,  
14 OR OTHER JURISDICTION THAT, IF COMMITTED IN THIS STATE, WOULD  
15 CONSTITUTE ONE OF THE CRIMES LISTED IN ITEM ~~(1) OR (2) (1), (2), OR (3) (1)~~  
16 OR (2) OF THIS SUBSECTION;

17           ~~(4) (5) (4)~~ ANY OF THE FOLLOWING FEDERAL OFFENSES:

18           (I) MISLEADING DOMAIN NAMES ON THE INTERNET UNDER  
19 18 U.S.C. § 2252C;

20           (II) MISLEADING WORDS OR DIGITAL IMAGES ON THE  
21 INTERNET UNDER 18 U.S.C. § 2252C;

22           (III) ENGAGING IN ILLICIT CONDUCT IN FOREIGN PLACES  
23 UNDER 18 U.S.C. § 2423(c);

24           (IV) FAILURE TO FILE A FACTUAL STATEMENT ABOUT AN  
25 ALIEN INDIVIDUAL UNDER 18 U.S.C. § 2424;

26           (V) TRANSMITTING INFORMATION ABOUT A MINOR TO  
27 FURTHER CRIMINAL SEXUAL CONDUCT UNDER 18 U.S.C. § 2425;

28           (VI) SEX TRAFFICKING BY FORCE, FRAUD, OR COERCION  
29 UNDER 18 U.S.C. § 1591; OR

30           (VII) TRAVEL WITH INTENT TO ENGAGE IN ILLICIT CONDUCT  
31 UNDER 18 U.S.C. § 2423(b);

~~(5)~~ ~~(6)~~ (5) ANY MILITARY OFFENSE SPECIFIED BY THE SECRETARY OF DEFENSE UNDER SECTION 115(A)(8)(C)(I) OF PUBLIC LAW 105-119 (CODIFIED AT 10 U.S.C. § 951 NOTE) THAT IS SIMILAR TO THOSE OFFENSES LISTED IN ITEM ~~(4)~~ ~~(5)~~ (4) OF THIS SUBSECTION; OR

~~(6)~~ ~~(7)~~ (6) A CRIME IN A COURT OF CANADA, GREAT BRITAIN, AUSTRALIA, NEW ZEALAND, OR ANY OTHER FOREIGN COUNTRY WHERE THE UNITED STATES DEPARTMENT OF STATE HAS DETERMINED IN ITS COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES THAT AN INDEPENDENT JUDICIARY GENERALLY OR VIGOROUSLY ENFORCED THE RIGHT TO A FAIR TRIAL DURING THE YEAR IN WHICH THE CONVICTION OCCURRED THAT, IF THE CRIME WERE COMMITTED IN THIS STATE, WOULD CONSTITUTE ONE OF THE CRIMES LISTED IN ITEMS (1) THROUGH ~~(5)~~ ~~(6)~~ (5) OF THIS SUBSECTION.

(R) "TIER II SEX OFFENDER" MEANS A PERSON WHO HAS BEEN CONVICTED OF:

(1) CONSPIRING TO COMMIT, ATTEMPTING TO COMMIT, OR COMMITTING A VIOLATION OF § 3-307(A)(4) OR (5) OF THE CRIMINAL LAW ARTICLE, OR ~~§ 3-308(B) OR (C)~~, § 3-324, § 11-207, OR § 11-209 OF THE CRIMINAL LAW ARTICLE, IF THE VICTIM IS A MINOR;

(2) CONSPIRING TO COMMIT, ATTEMPTING TO COMMIT, OR COMMITTING A VIOLATION OF § 11-303, § 11-305, OR § 11-306 OF THE CRIMINAL LAW ARTICLE, IF THE INTENDED PROSTITUTE OR VICTIM IS A MINOR;

(3) CONSPIRING TO COMMIT, ATTEMPTING TO COMMIT, OR COMMITTING A VIOLATION OF ~~§ 3-308(B)(1) OR (C) § 3-308, § 3-314, § 3-314~~ OR § 3-603 OF THE CRIMINAL LAW ARTICLE, IF THE VICTIM IS A MINOR WHO IS AT LEAST 14 YEARS OLD;

(4) CONSPIRING TO COMMIT, ATTEMPTING TO COMMIT, OR COMMITTING AN OFFENSE THAT WOULD REQUIRE THE PERSON TO REGISTER AS A TIER I SEX OFFENDER AFTER THE PERSON WAS ALREADY REGISTERED AS A TIER I SEX OFFENDER;

~~(4)~~ (5) A CRIME THAT WAS COMMITTED IN A FEDERAL, MILITARY, TRIBAL, OR OTHER JURISDICTION THAT, IF COMMITTED IN THIS STATE, WOULD CONSTITUTE ONE OF THE CRIMES LISTED IN ITEMS (1) THROUGH ~~(3)~~ ~~(4)~~ (3) OF THIS SUBSECTION; OR

~~(5)~~ (6) A CRIME IN A COURT OF CANADA, GREAT BRITAIN, AUSTRALIA, NEW ZEALAND, OR ANY OTHER FOREIGN COUNTRY WHERE THE

1 UNITED STATES DEPARTMENT OF STATE HAS DETERMINED IN ITS COUNTRY  
2 REPORTS ON HUMAN RIGHTS PRACTICES THAT AN INDEPENDENT JUDICIARY  
3 GENERALLY OR VIGOROUSLY ENFORCED THE RIGHT TO A FAIR TRIAL DURING  
4 THE YEAR IN WHICH THE CONVICTION OCCURRED THAT, IF THE CRIME WERE  
5 COMMITTED IN THIS STATE, WOULD CONSTITUTE ONE OF THE CRIMES LISTED  
6 IN ITEMS (1) THROUGH ~~(3) (4)~~ (3) OF THIS SUBSECTION.

7 (S) "TIER III SEX OFFENDER" MEANS A PERSON WHO HAS BEEN  
8 CONVICTED OF:

9 (1) CONSPIRING TO COMMIT, ATTEMPTING TO COMMIT, OR  
10 COMMITTING A VIOLATION OF:

11 (I) ~~§ 2-201(4)(VIII) § 2-201(A)(4)(VIII), (X), OR (XI) OF THE~~  
12 ~~CRIMINAL LAW ARTICLE; OR~~

13 (II) § 3-303, § 3-304, § 3-305, § 3-306, § 3-307(A)(1) OR (2),  
14 § 3-309, § 3-310, § 3-311, § 3-312, § 3-315, ~~§ 3-322, § 3-323, § 3-502, OR §~~  
15 ~~3-602 OF THE CRIMINAL LAW ARTICLE, OR THE COMMON LAW OFFENSE OF~~  
16 ~~SODOMY; OR~~

17 (III) THE COMMON LAW OFFENSE OF SODOMY OR § 3-322 OF  
18 THE CRIMINAL LAW ARTICLE IF THE OFFENSE WAS COMMITTED WITH FORCE OR  
19 THREAT OF FORCE;

20 (2) CONSPIRING TO COMMIT, ATTEMPTING TO COMMIT, OR  
21 COMMITTING A VIOLATION OF § 3-307(A)(3), ~~§ 3-308, § 3-314, § 3-321, § 3-322,~~  
22 ~~§ 3-503, OR § 3-603 OF THE CRIMINAL LAW ARTICLE, IF THE VICTIM IS UNDER~~  
23 ~~THE AGE OF 14 YEARS;~~

24 (3) CONSPIRING TO COMMIT, ATTEMPTING TO COMMIT, OR  
25 COMMITTING THE COMMON LAW OFFENSE OF FALSE IMPRISONMENT, IF THE  
26 VICTIM IS A MINOR;

27 (4) ~~CONSPIRING TO COMMIT, ATTEMPTING TO COMMIT, OR~~  
28 ~~COMMITTING A VIOLATION OF § 3-202 OR § 3-203 OF THE CRIMINAL LAW~~  
29 ~~ARTICLE, IF THE PERSON IS CHARGED WITH A VIOLATION OF § 3-303, § 3-304, §~~  
30 ~~3-305, OR § 3-306 OF THE CRIMINAL LAW ARTICLE ARISING OUT OF THE SAME~~  
31 ~~INCIDENT, AND THE COURT MAKES A SPECIFIC FINDING ON THE RECORD THAT~~  
32 ~~THE DEFENDANT'S UNDERLYING INTENT WAS SEXUAL IN NATURE;~~

33 (5) CONSPIRING TO COMMIT, ATTEMPTING TO COMMIT OR  
34 COMMITTING AN OFFENSE THAT WOULD REQUIRE THE PERSON TO REGISTER AS

A TIER I OR TIER II SEX OFFENDER AFTER THE PERSON WAS ALREADY  
REGISTERED AS A TIER II SEX OFFENDER;

~~(5) (6) (5)~~ A CRIME COMMITTED IN A FEDERAL, MILITARY, TRIBAL,  
OR OTHER JURISDICTION THAT, IF COMMITTED IN THIS STATE, WOULD  
CONSTITUTE ONE OF THE CRIMES LISTED IN ITEMS (1) THROUGH ~~(4) (5) (3)~~ OF  
THIS SUBSECTION; OR

~~(6) (7) (6)~~ A CRIME IN A COURT OF CANADA, GREAT BRITAIN,  
AUSTRALIA, NEW ZEALAND, OR ANY OTHER FOREIGN COUNTRY WHERE THE  
UNITED STATES DEPARTMENT OF STATE HAS DETERMINED IN ITS COUNTRY  
REPORTS ON HUMAN RIGHTS PRACTICES THAT AN INDEPENDENT JUDICIARY  
GENERALLY OR VIGOROUSLY ENFORCED THE RIGHT TO A FAIR TRIAL DURING  
THE YEAR IN WHICH THE CONVICTION OCCURRED THAT, IF THE CRIME WERE  
COMMITTED IN THIS STATE, WOULD CONSTITUTE ONE OF THE CRIMES LISTED  
IN ITEMS (1) THROUGH ~~(4) (5) (3)~~ OF THIS SUBSECTION.

[~~(n)~~] (T) “Transient” means a nonresident registrant who enters a county of  
this State with the intent to be in the State or is in the State for a period exceeding 14  
days or for an aggregate period exceeding 30 days during a calendar year for a purpose  
other than employment or to attend an educational institution.

11-702.

For the purposes of this subtitle, a person is convicted when the person:

- (1) is found guilty of a crime by a jury or judicial officer;
- (2) enters a plea of guilty or nolo contendere;
- (3) is granted a probation before judgment ~~after a finding of guilt for~~  
a crime if the court, as a condition of probation, orders compliance with the  
requirements of this subtitle~~]; or~~;
- (4) is found not criminally responsible for a crime.

11-702.1.

~~(a) Notwithstanding any other provision of law to the contrary, [except as  
provided in subsection (b) of this section,] this subtitle shall be applied retroactively to  
include a [registrant convicted of an offense committed before July 1, 1997, and who is  
under the custody or supervision of a supervising authority on October 1, 2001] TIER I  
SEX OFFENDER RELEASED AFTER OCTOBER 1, 1993-1995, FOR A CRIME  
REQUIRING REGISTRATION UNDER THIS SUBTITLE.~~

~~(b) Notwithstanding any other provision of law to the contrary, this subtitle shall be applied retroactively to a [child sexual offender who committed the sexual offense on or before October 1, 1995, and who is under the custody or supervision of a supervising authority on October 1, 2001] TIER II SEX OFFENDER RELEASED AFTER OCTOBER 1, 1984-1985.~~

~~(c) [(1) Notwithstanding any other provision of law to the contrary, this subtitle shall be applied retroactively to include:~~

~~(i) a person convicted on or after July 1, 1997, of an offense committed before July 1, 1997, for which registration as a sexually violent predator or sexually violent offender is required under this subtitle; and~~

~~(ii) a person convicted on or after October 1, 1995, of an offense committed before October 1, 1995, for which registration as a child sexual offender is required under this subtitle.] NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, THIS SUBTITLE SHALL BE APPLIED RETROACTIVELY TO ALL TIER III SEX OFFENDERS.~~

~~[(2)] (D) The Department shall ATTEMPT TO contact and notify each person [who is not under the custody or supervision of a supervising authority on October 1, 2009,] for whom registration is required under [paragraph (1) of this subsection] THIS SECTION.~~

**(A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, THIS SUBTITLE SHALL BE APPLIED RETROACTIVELY TO INCLUDE A PERSON WHO:**

**(1) IS UNDER THE CUSTODY OR SUPERVISION OF A SUPERVISING AUTHORITY ON OCTOBER 1, 2010;**

**(2) WAS SUBJECT TO REGISTRATION UNDER THIS SUBTITLE ON SEPTEMBER 30, 2010; OR**

**(3) IS CONVICTED OF ANY CRIME ON OR AFTER OCTOBER 1, 2010, AND HAS A PRIOR CONVICTION FOR AN OFFENSE FOR WHICH REGISTRATION AS A SEX OFFENDER IS REQUIRED UNDER THIS SUBTITLE.**

~~(E)~~ **(B) THE TERM OF REGISTRATION FOR A SEX OFFENDER REGISTERED UNDER SUBSECTION (A) OR (B) OF THIS SECTION SHALL BE CALCULATED FROM THE DATE OF RELEASE.**



(a) (1) Subject to subsections (b) and (c) of this section, if a person is convicted of a sexually violent offense, the State's Attorney before sentencing may ask the court to determine whether the person is a sexually violent predator.

(2) If the State's Attorney makes a request under paragraph (1) of this subsection, the court shall determine, before or at sentencing, whether the person is a sexually violent predator.

(b) In making a determination under subsection (a) of this section, the court shall consider:

(1) evidence that the court considers appropriate to the determination of whether the person is a sexually violent predator, including the presentencing investigation and sexually violent offender's inmate record;

(2) evidence introduced by the person convicted; and

(3) at the request of the State's Attorney, evidence that a victim of the sexually violent offense presents.

(c) The State's Attorney may not ask a court to determine whether a person is a sexually violent predator under this section unless the State's Attorney serves written notice of intent to make the request on the defendant or the defendant's counsel at least 30 days before trial.

11-704.

(a) [Subject to subsection (c) of this section, a] **A** person shall register with the person's supervising authority if the person is:

(1) [a child sexual offender] **A TIER I SEX OFFENDER;**

(2) [an offender] **A TIER II SEX OFFENDER;**

(3) [a sexually violent offender] **A TIER III SEX OFFENDER; OR**

(4) [a sexually violent predator;

(5) a child sexual offender who, before moving into this State, was required to register in another state or by a federal, military, or Native American tribal court for a crime that occurred before October 1, 1995;

(6) an offender, sexually violent offender, or sexually violent predator who, before moving into this State, was required to register in another state or by a federal, military, or Native American tribal court for a crime that occurred before July 1, 1997; or

(7) a child sexual offender, offender, sexually violent offender, or sexually violent predator] A **SEX OFFENDER** who is required to register [in] **BY** another [state,] **JURISDICTION, A FEDERAL, MILITARY, OR TRIBAL COURT, OR A FOREIGN GOVERNMENT, AND** who is not a resident of this State, and who enters this State:

(i) **TO BEGIN RESIDING OR TO HABITUALLY LIVE;**

**(II)** to carry on employment;

**[(ii)] (III)** to attend a public or private educational institution, including a secondary school, trade or professional institution, or institution of higher education, as a full-time or part-time student; or

**[(iii)] (IV)** as a transient.

(b) Notwithstanding any other provision of law, a person is no longer subject to registration under this subtitle if:

(1) the underlying conviction requiring registration is reversed, vacated, or set aside; or

(2) the registrant is pardoned for the underlying conviction.

~~[(c) (1) A person described under § 11-701(e)(5)(i) of this subtitle, or a person described under § 11-701(j)(3)(i) of this subtitle~~ **WHO HAS BEEN ADJUDICATED DELINQUENT FOR AN ACT THAT, IF COMMITTED BY AN ADULT, WOULD CONSTITUTE A VIOLATION OF § 3-303, § 3-304, § 3-305, OR § 3-306 OF THE CRIMINAL LAW ARTICLE, OR § 3-307(A)(1) OR (2) OR § 3-308(B)(1) OF THE CRIMINAL LAW ARTICLE INVOLVING CONDUCT DESCRIBED IN § 3-301(F)(2) OF THE CRIMINAL LAW ARTICLE**, shall register with the person's supervising authority if:

(i) the person was a minor who was at least 13 years old at the time the delinquent act was committed;

(ii) the State's Attorney or the Department of Juvenile Services requests that the person be required to register;

(iii) 90 days prior to the time the juvenile court's jurisdiction over the person terminates under § 3-8A-07 of the Courts Article, the court, after a hearing, determines under a clear and convincing evidence standard that the person is at significant risk of committing a sexually violent offense or an offense for which

1 registration as a ~~child sexual~~ TIER II SEX OFFENDER OR TIER III SEX offender is  
2 required; and

3 (iv) the person is at least 18 years old.

4 (2) If the person has committed a delinquent act that would cause the  
5 court to make a determination regarding registration under paragraph (1) of this  
6 subsection:

7 (i) the State's Attorney shall serve written notice to the person  
8 or the person's counsel at least 30 days before a hearing to determine if the person is  
9 required to register under this section; and

10 (ii) the Department of Juvenile Services shall:

11 1. provide the court with any information necessary to  
12 make the determination; and

13 2. conduct any follow-up the court requires.

14 (3) The form of petitions and all other pleadings under this subsection  
15 and, except as otherwise provided under Title 3 of the Courts and Judicial Proceedings  
16 Article, the procedures to be followed by the court under this subsection shall be  
17 specified in the Maryland Rules.

18 (4) The court may order an evaluation of the person in making the  
19 determination under paragraph (1) of this subsection.†

20 **11-704.1.**

21 ~~A PERSON WHO IS UNDER THE AGE OF 18 AT THE TIME THE PERSON~~  
22 ~~COMMITTS AN OFFENSE THAT REQUIRES REGISTRATION AS A TIER I SEX~~  
23 ~~OFFENDER, TIER II SEX OFFENDER, OR TIER III SEX OFFENDER MUST REGISTER~~  
24 ~~IF:~~

25 ~~(1) CRIMINAL JURISDICTION OVER THE PERSON HAS BEEN~~  
26 ~~WAIVED TO AN ADULT COURT AND THE PERSON HAS BEEN CONVICTED AS~~  
27 ~~REQUIRED BY THIS SUBTITLE;~~

28 ~~(2) THE PERSON IS AT LEAST 14 YEARS OLD AND HAS BEEN~~  
29 ~~ADJUDICATED DELINQUENT FOR A VIOLATION OF § 3-303, § 3-304, § 3-305, OR~~  
30 ~~§ 3-306 OF THE CRIMINAL LAW ARTICLE; OR~~

31 ~~(3) THE PERSON IS AT LEAST 14 YEARS OLD AND HAS BEEN~~  
32 ~~ADJUDICATED DELINQUENT FOR A VIOLATION OF § 3-307(A)(1) OR~~

~~§ 3-307(A)(2) OF THE CRIMINAL LAW ARTICLE, IF THE VICTIM IS A CHILD UNDER THE AGE OF 12.~~

(A) A PERSON SHALL BE INCLUDED IN A LISTING OF JUVENILE SEX OFFENDERS THAT IS MAINTAINED BY THE DEPARTMENT SEPARATELY FROM THE SEX OFFENDER REGISTRY IF:

(1) THE PERSON HAS BEEN ADJUDICATED DELINQUENT FOR AN ACT THAT, IF COMMITTED BY AN ADULT, WOULD CONSTITUTE A VIOLATION OF § 3-303, § 3-304, § 3-305, OR § 3-306 OF THE CRIMINAL LAW ARTICLE, OR § 3-307(A)(1) OR (2) OR § 3-308(B)(1) OF THE CRIMINAL LAW ARTICLE INVOLVING CONDUCT DESCRIBED IN § 3-301(F)(2) OF THE CRIMINAL LAW ARTICLE; AND

(2) THE PERSON WAS A MINOR WHO WAS AT LEAST 13 YEARS OLD AT THE TIME THE DELINQUENT ACT WAS COMMITTED.

(B) THE LISTING OF JUVENILE SEX OFFENDERS SHALL BE ACCESSIBLE ONLY BY LAW ENFORCEMENT PERSONNEL FOR LAW ENFORCEMENT PURPOSES.

(C) WHEN THE JUVENILE COURT'S JURISDICTION OVER A PERSON WHO IS INCLUDED IN THE LISTING OF JUVENILE SEX OFFENDERS TERMINATES UNDER § 3-8A-07 OF THE COURTS ARTICLE, THE PERSON SHALL BE REMOVED FROM THE LISTING.

11-704.2.

(A) ON WRITTEN REQUEST BY A FEDERAL AGENCY OPERATING A FEDERAL WITNESS SECURITY PROGRAM ESTABLISHED UNDER 18 U.S.C. 3521, THE REGISTRATION REQUIREMENT FOR A SEX OFFENDER UNDER THE PROTECTION OF A FEDERAL WITNESS SECURITY PROGRAM IS WAIVED AND THE PERSON UNDER PROTECTION IS EXEMPT FROM REGISTRATION.

(B) ON WRITTEN REQUEST BY A NONFEDERAL AGENCY THAT OPERATES A WITNESS PROTECTION PROGRAM COMPARABLE TO A FEDERAL PROGRAM ESTABLISHED UNDER 18 U.S.C. 3521, THE REGISTRATION REQUIREMENT FOR A SEX OFFENDER UNDER THE PROTECTION OF A WITNESS PROTECTION PROGRAM IS WAIVED AND THE PERSON UNDER PROTECTION IS EXEMPT FROM REGISTRATION.

(C) A WAIVER GRANTED UNDER THIS SECTION IS TERMINATED, AND REGISTRATION IS REQUIRED, IF A SEX OFFENDER EXEMPTED FROM REGISTRATION UNDER THIS SECTION SUBSEQUENTLY IS CONVICTED OF AN OFFENSE THAT REQUIRES REGISTRATION UNDER THIS SUBTITLE.

1 11-705.

2 (a) In this section, “resident” means a person who [lives] **HAS A HOME OR**  
3 **AN OTHER PLACE ~~THAT~~ WHERE THE PERSON HABITUALLY LIVES LOCATED** in  
4 this State when the person:

5 (1) is released;

6 (2) is granted probation;

7 (3) is granted a suspended sentence; ~~OR~~

8 (4) receives a sentence that does not include a term of imprisonment~~;~~  
9 or

10 (5) is released from the juvenile court’s jurisdiction under § 3-8A-07  
11 of the Courts Article, if the person was a minor who lived in the State at the time the  
12 act was committed for which registration is required~~;~~.

13 (b) A registrant shall register with the **APPROPRIATE** supervising authority  
14 **IN THE STATE:**

15 (1) [if the registrant is a resident, on or] **IF THE REGISTRANT WAS**  
16 **SENTENCED TO A TERM OF IMPRISONMENT** before the date that the registrant[:] **IS**  
17 **RELEASED; OR**

18 **(2) WITHIN 3 DAYS OF THE DATE THAT THE REGISTRANT:**

19 [(i) is released;]

20 [(ii) **(I)** is granted probation before judgment;

21 [(iii) **(II)** is granted probation after judgment;

22 [(iv) **(III)** is granted a suspended sentence; or

23 [(v) **(IV)** receives a sentence that does not include a term of  
24 imprisonment;

25 ~~[(2)]~~ **(3)** if the registrant was a resident who was a minor at the time the  
26 act was committed for which registration is required, within ~~7~~ **3** days after the juvenile  
27 court’s jurisdiction over the person terminates under § 3-8A-07 of the Courts Article;~~;~~

1                   ~~(3)~~ **(4)**           if the registrant moves into the State, within **[7] 3** days after  
2 the earlier of the date that the registrant:

3                   (i)       establishes a temporary or permanent residence in the  
4 State; **[or]**

5                   (ii)       **BEGINS TO HABITUALLY LIVE IN THE STATE; OR**

6                   **(III)**   applies for a driver's license in the State; or

7                   ~~(4)~~ **(5)**           if the registrant is not a resident, within **[14] 3** days after  
8 the registrant:

9                   (i)       begins employment in the State;

10                  (ii)       registers as a student in the State; or

11                  (iii)      enters the State as a transient.

12           (c)    (1)    A **[child sexual] SEX** offender shall also register in person with the  
13 local law enforcement unit of ~~the~~ **EACH** county where the **[child sexual] SEX** offender  
14 **[will reside] RESIDES WITHIN 3 DAYS OF:**

15                   (i)    **[within 7 days after release, or within 7 days after the**  
16 **juvenile court's jurisdiction over the person terminates under § 3–8A–07 of the Courts**  
17 **Article, if the child sexual offender is a resident] RELEASE FROM ANY PERIOD OF**  
18 **IMPRISONMENT OR ARREST; or**

19                   (ii)   **[within 7 days] ~~after~~ registering with the supervising**  
20 **authority, if the registrant is moving into this State AND THE LOCAL LAW**  
21 **ENFORCEMENT UNIT IS NOT THE SUPERVISING AUTHORITY.**

22           (2)    **[Within 7 days after registering with the supervising authority, a**  
23 **child sexual offender who is not a resident and has entered the State under**  
24 **§ 11–704(a)(7) of this subtitle shall also register in person with the local law**  
25 **enforcement unit of the county where the child sexual offender is a transient or will**  
26 **work or attend school.**

27           (3)    A child sexual offender] **A SEX OFFENDER** may be required to give  
28 to the local law enforcement unit more information than required under § 11–706 of  
29 this subtitle.

30           (d)    **(1)    A HOMELESS REGISTRANT ALSO SHALL REGISTER IN PERSON**  
31 **WITH THE LOCAL LAW ENFORCEMENT UNIT IN ~~THE~~ EACH COUNTY WHERE THE**  
32 **REGISTRANT HABITUALLY LIVES:**

(I) WITHIN 3 DAYS AFTER THE EARLIER OF THE DATE OF RELEASE OR AFTER REGISTERING WITH THE SUPERVISING AUTHORITY; AND

(II) WITHIN ~~24 HOURS~~ 3 DAYS AFTER ENTERING AND REMAINING IN A COUNTY.

(2) AFTER INITIALLY REGISTERING WITH ~~THE~~ A LOCAL LAW ENFORCEMENT UNIT UNDER THIS SUBSECTION, A HOMELESS REGISTRANT SHALL REGISTER ONCE A WEEK IN PERSON DURING THE TIME THE HOMELESS REGISTRANT HABITUALLY LIVES IN THE COUNTY.

(3) THE REGISTRATION REQUIREMENTS UNDER THIS SUBSECTION ARE IN ADDITION TO ANY OTHER REQUIREMENTS THE HOMELESS REGISTRANT IS SUBJECT TO ACCORDING TO THE REGISTRANT'S CLASSIFICATION AS A TIER I SEX OFFENDER, TIER II SEX OFFENDER, TIER III SEX OFFENDER, OR SEXUALLY VIOLENT PREDATOR.

(4) IF A REGISTRANT WHO WAS HOMELESS OBTAINS A FIXED ADDRESS, THE REGISTRANT SHALL REGISTER WITH THE APPROPRIATE SUPERVISING AUTHORITY AND LOCAL LAW ENFORCEMENT UNIT WITHIN 3 DAYS AFTER OBTAINING A FIXED ADDRESS.

(E) [A] WITHIN 3 DAYS OF ANY CHANGE, A registrant [who changes residences shall send written notice of the change to the State registry within 5 days after the change occurs.] SHALL NOTIFY THE LOCAL LAW ENFORCEMENT UNIT WHERE THE REGISTRANT MOST RECENTLY REGISTERED AND ~~THE~~ EACH LOCAL LAW ENFORCEMENT UNIT WHERE THE REGISTRANT WILL RESIDE OR HABITUALLY LIVE OF CHANGES IN:

(1) RESIDENCE;

(2) THE COUNTY IN WHICH THE REGISTRANT HABITUALLY LIVES;

(3) VEHICLE OR LICENSE PLATE INFORMATION;

(4) ELECTRONIC MAIL OR INTERNET IDENTIFIERS;

(5) HOME OR CELL PHONE NUMBERS; OR

(6) EMPLOYMENT.

[(e)] (F) (1) A registrant who commences or terminates enrollment as a full-time or part-time student at an institution of higher education in the State shall

1 [send written notice to the State registry] PROVIDE NOTICE IN PERSON TO THE  
2 LOCAL LAW ENFORCEMENT UNIT WHERE THE INSTITUTION OF HIGHER  
3 EDUCATION IS LOCATED within [5] 3 days after the commencement or termination  
4 of enrollment.

5 (2) A registrant who commences or terminates carrying on  
6 employment at an institution of higher education in the State shall [send written  
7 notice to the State registry] PROVIDE NOTICE IN PERSON TO THE LOCAL LAW  
8 ENFORCEMENT UNIT WHERE THE INSTITUTION OF HIGHER EDUCATION IS  
9 LOCATED within [5] 3 days after the commencement or termination of employment.

10 [(f)] (G) A registrant who is granted a legal change of name by a court shall  
11 send written notice of the change to ~~the~~ EACH [State registry] LOCAL LAW  
12 ENFORCEMENT UNIT WHERE THE REGISTRANT RESIDES OR HABITUALLY LIVES  
13 within [5] 3 days after the change is granted.

14 (H) A REGISTRANT SHALL NOTIFY ~~THE~~ EACH LOCAL LAW  
15 ENFORCEMENT UNIT WHERE THE REGISTRANT RESIDES OR HABITUALLY LIVES  
16 AT LEAST 3 DAYS PRIOR TO LEAVING THE UNITED STATES TO COMMENCE  
17 RESIDENCE OR EMPLOYMENT OR ATTEND SCHOOL IN A FOREIGN COUNTRY.

18 (I) (1) A REGISTRANT SHALL NOTIFY ~~THE~~ EACH LOCAL LAW  
19 ENFORCEMENT UNIT WHERE THE REGISTRANT RESIDES OR HABITUALLY LIVES  
20 WHEN THE REGISTRANT OBTAINS A TEMPORARY RESIDENCE OR ALTERS THE  
21 LOCATION WHERE THE REGISTRANT RESIDES OR HABITUALLY LIVES FOR MORE  
22 THAN ~~7~~ 5 DAYS OR WHEN THE REGISTRANT WILL BE ABSENT FROM THE  
23 REGISTRANT'S RESIDENCE OR LOCATION WHERE THE REGISTRANT RESIDES OR  
24 HABITUALLY LIVES FOR MORE THAN 7 DAYS.

25 (2) NOTIFICATION UNDER THIS SUBSECTION SHALL:

26 (I) BE MADE IN WRITING OR IN PERSON PRIOR TO  
27 OBTAINING A TEMPORARY RESIDENCE, COMMENCING THE PERIOD OF ABSENCE,  
28 OR TEMPORARILY ALTERING ~~THE~~ A LOCATION WHERE THE REGISTRANT  
29 RESIDES OR HABITUALLY LIVES;

30 (II) INCLUDE THE TEMPORARY ADDRESS OR DETAILED  
31 DESCRIPTION OF THE TEMPORARY LOCATION WHERE THE REGISTRANT WILL  
32 RESIDE OR HABITUALLY LIVE; AND

33 (III) CONTAIN THE ANTICIPATED DATES THAT THE  
34 TEMPORARY RESIDENCE OR LOCATION WILL BE USED BY THE REGISTRANT AND  
35 THE ANTICIPATED DATES THAT THE REGISTRANT WILL BE ABSENT FROM THE



1 REGISTRANT'S PERMANENT RESIDENCE OR ~~LOCATION~~ LOCATIONS WHERE THE  
2 REGISTRANT REGULARLY RESIDES OR HABITUALLY LIVES.

3 (J) A REGISTRANT WHO ESTABLISHES A NEW ELECTRONIC MAIL  
4 ADDRESS, COMPUTER LOG-IN OR SCREEN NAME OR IDENTITY,  
5 INSTANT-MESSAGE IDENTITY, OR ELECTRONIC CHAT ROOM IDENTITY SHALL  
6 SEND WRITTEN NOTICE OF THE NEW INFORMATION TO THE STATE REGISTRY  
7 WITHIN 3 DAYS AFTER THE ELECTRONIC MAIL ADDRESS, COMPUTER LOG-IN OR  
8 SCREEN NAME OR IDENTITY, INSTANT-MESSAGE IDENTITY, OR ELECTRONIC  
9 CHAT ROOM IDENTITY IS ESTABLISHED.

10 11-706.

11 (a) [A] FOR ALL SEX OFFENDERS IN THE STATE, A registration statement  
12 shall include:

13 (1) the registrant's full name, including any suffix, and ~~address OR~~  
14 PLACE ALL ADDRESSES AND PLACES WHERE THE REGISTRANT RESIDES OR  
15 HABITUALLY LIVES;

16 (2) [(i) for a registrant under § 11-704(a)(7)(i) of this subtitle or  
17 who is on work release, the registrant's place of employment; or] THE NAME AND  
18 ADDRESS OF EACH OF THE REGISTRANT'S EMPLOYER EMPLOYERS AND A  
19 DESCRIPTION OF THE EACH LOCATION WHERE THE REGISTRANT PERFORMS  
20 EMPLOYMENT DUTIES, IF THAT LOCATION DIFFERS FROM THE ADDRESS OF THE  
21 EMPLOYER;

22 [(ii) for a registrant under § 11-704(a)(7)(ii) of this subtitle, the  
23 registrant's place of educational institution or school enrollment;]

24 (3) [(i) for a registrant enrolled, or expecting to enroll, in an  
25 institution of higher education in the State as a full-time or part-time student, the  
26 name and address of the institution of higher education; or

27 (ii) for a registrant who carries on employment, or expects to  
28 carry on employment, at an institution of higher education in the State, the name and  
29 address of the institution of higher education] THE NAME OF THE REGISTRANT'S  
30 EDUCATIONAL INSTITUTION OR PLACE OF SCHOOL ENROLLMENT AND THE  
31 REGISTRANT'S EDUCATIONAL INSTITUTION OR SCHOOL ADDRESS;

32 (4) a description of the crime for which the registrant was convicted;

33 (5) the date that the registrant was convicted;

(6) the jurisdiction **AND THE NAME OF THE COURT** in which the registrant was convicted;

(7) a list of any aliases, former names, **NAMES BY WHICH THE REGISTRANT LEGALLY HAS BEEN KNOWN, TRADITIONAL NAMES GIVEN BY FAMILY OR CLAN UNDER ETHNIC OR TRIBAL TRADITION**, electronic mail addresses, computer log-in or screen names or identities, instant-messaging identities, and electronic chat room identities that the registrant has used;

(8) the registrant's Social Security number **AND ANY PURPORTED SOCIAL SECURITY NUMBERS, THE REGISTRANT'S DATE OF BIRTH, ~~OR~~ PURPORTED DATES OF BIRTH, AND PLACE OF BIRTH;**

(9) [any other name by which the registrant has been legally known] ~~ANY~~ **ALL IDENTIFYING FACTORS, INCLUDING A PHYSICAL DESCRIPTION;**

(10) [a copy of the registrant's valid driver's license or identification card;] **A COPY OF THE REGISTRANT'S PASSPORT OR IMMIGRATION PAPERS;**

**(11) INFORMATION REGARDING ANY PROFESSIONAL LICENSES THE REGISTRANT HOLDS;**

~~[(11)]~~ **(12) the license plate ~~number OR REGISTRATION NUMBER~~ NUMBER, REGISTRATION NUMBER, and description of any vehicle, **INCLUDING ALL MOTOR VEHICLES, BOATS, AND AIRCRAFT**, owned or regularly operated by the registrant; [and]**

**(13) THE PERMANENT OR FREQUENT ~~ADDRESS~~ ADDRESSES OR LOCATIONS WHERE ALL VEHICLES ARE KEPT;**

**(14) ALL LANDLINE AND CELLULAR TELEPHONE NUMBERS AND ANY OTHER DESIGNATIONS USED BY THE SEX OFFENDER FOR THE PURPOSES OF ROUTING OR SELF-IDENTIFICATION IN TELEPHONIC COMMUNICATIONS, ~~LANDLINE TELEPHONE NUMBERS, AND CELL PHONE NUMBERS;~~**

**(15) A COPY OF THE REGISTRANT'S VALID DRIVER'S LICENSE OR IDENTIFICATION CARD;**

**(16) THE REGISTRANT'S FINGERPRINTS AND PALM PRINTS;**

**(17) THE CRIMINAL HISTORY OF THE SEX OFFENDER, INCLUDING: THE ~~DATE~~ DATES OF ALL ARRESTS AND CONVICTIONS, THE STATUS OF PAROLE, PROBATION, OR SUPERVISED RELEASE, ~~REGISTRATION STATUS~~, AND THE EXISTENCE OF ANY OUTSTANDING ARREST WARRANTS; AND**

1           [(12)] **(18)** the registrant's signature and date signed.

2           (b) If the registrant is **DETERMINED TO BE** a sexually violent predator, the  
3 registration statement shall also include:

4           (1) [identifying factors, including a physical description;

5           (2)] anticipated future residence, if known at the time of registration;

6 **AND**

7           [(3) offense history; and]

8           [(4)] **(2)** documentation of treatment received for a mental  
9 abnormality or personality disorder.

10 11-707.

11           (a) (1) (i) A [child sexual] **TIER I SEX OFFENDER AND A TIER II SEX**  
12 offender shall register in person every 6 months with a local law enforcement unit for  
13 the term provided under paragraph (4) of this subsection.

14                       (ii) Registration shall include a [photograph] **DIGITAL IMAGE**  
15 that shall be updated every 6 months.

16           (2) (i) [An offender and a sexually violent] **A TIER III SEX**  
17 offender shall register in person every [6] **3** months with a local law enforcement unit  
18 for the term provided under paragraph (4) of this subsection.

19                       (ii) Registration shall include a [photograph] **DIGITAL IMAGE**  
20 that shall be updated every 6 months.

21           (3) (i) A sexually violent predator shall register in person every 3  
22 months **WITH A LOCAL LAW ENFORCEMENT UNIT** for the term provided under  
23 paragraph [(4)(ii)] **(4)** of this subsection.

24                       (ii) Registration shall include a [photograph] **DIGITAL IMAGE**  
25 that shall be updated every 6 months.

26           (4) [The] **SUBJECT TO SUBSECTION (C) OF THIS SECTION, THE**  
27 term of registration is:

28                       (i) [except as provided in items (ii) and (iii) of this paragraph,  
29 10 years] **15 YEARS, IF THE REGISTRANT IS A TIER I SEX OFFENDER;**

(II) 25 YEARS, IF THE REGISTRANT IS A TIER II SEX OFFENDER; ~~OR~~

[(ii)] (III) [except as provided in item (iii) of this paragraph,] the life of the registrant, if[:

1. the registrant is a sexually violent predator;

2. the registrant has been convicted of a sexually violent offense;

3. the registrant has been convicted of a violation of § 3-602 of the Criminal Law Article for commission of a sexual act involving penetration of a child under the age of 12 years; or

4. the registrant has been convicted of a prior crime as a child sexual offender, an offender, or a sexually violent offender; or] **THE REGISTRANT IS A TIER III SEX OFFENDER; OR**

~~[(iii)] (IV)~~ up to 5 years, if the registrant is a person described under § ~~11-701(e)(5)(i) of this subtitle or a person described under § 11-701(j)(3)(i)~~ **11-704(C)(1)** of this subtitle, subject to reduction by the juvenile court on the filing of a petition by the registrant for a reduction in the term of registration.†

(5) A registrant who is not a resident of the State shall register for the appropriate time specified in this subsection or until the registrant's employment, student enrollment, or transient status in the State ends.

(b) A term of registration described in this section shall be computed from:

(1) the last date of release;

(2) the date granted probation; ~~OR~~

(3) the date granted a suspended sentence†; or

(4) the date the juvenile court's jurisdiction over the registrant terminates under § 3-8A-07 of the Courts Article if the registrant was a minor who lived in the State at the time the act was committed for which registration is required†.

**(C) ~~(1)~~ THE TERM OF REGISTRATION FOR A TIER I SEX OFFENDER SHALL BE REDUCED TO 10 YEARS IF, IN THE 10 YEARS FOLLOWING THE DATE ON WHICH THE REGISTRANT WAS REQUIRED TO REGISTER, THE REGISTRANT:**

~~(H) (1)~~ IS NOT CONVICTED OF ANY OFFENSE FOR WHICH A TERM OF IMPRISONMENT OF MORE THAN 1 YEAR MAY BE IMPOSED;

~~(H) (2)~~ IS NOT CONVICTED OF ANY SEX OFFENSE;

~~(H) (3)~~ SUCCESSFULLY COMPLETES, WITHOUT REVOCATION, ANY PERIOD OF SUPERVISED RELEASE, PAROLE, OR PROBATION; AND

~~(IV) (4)~~ SUCCESSFULLY COMPLETES AN APPROPRIATE SEX OFFENDER TREATMENT PROGRAM ~~CERTIFIED BY THE STATE.~~

~~(2) THE TERM OF REGISTRATION FOR A REGISTRANT CONVICTED OF A TIER III SEX OFFENSE, WHO WAS REQUIRED TO REGISTER ON THE BASIS OF A JUVENILE ADJUDICATION, SHALL BE REDUCED TO 25 YEARS IF, IN THE 25 YEARS FOLLOWING THE DATE ON WHICH THE REGISTRANT WAS REQUIRED TO REGISTER, THE REGISTRANT:~~

~~(I) IS NOT CONVICTED OF ANY OFFENSE FOR WHICH A TERM OF IMPRISONMENT OF MORE THAN 1 YEAR MAY BE IMPOSED;~~

~~(II) IS NOT CONVICTED OF ANY SEX OFFENSE;~~

~~(III) SUCCESSFULLY COMPLETES, WITHOUT REVOCATION, ANY PERIOD OF SUPERVISED RELEASE, PAROLE, OR PROBATION; AND~~

~~(IV) SUCCESSFULLY COMPLETES AN APPROPRIATE SEX OFFENDER TREATMENT PROGRAM CERTIFIED BY THE STATE.~~

11-708.

(a) When a registrant registers, the supervising authority shall:

(1) give written notice to the registrant of the requirements of this subtitle;

(2) explain the requirements of this subtitle to the registrant, including:

(i) the duties of a registrant when the registrant changes residence address in this State OR CHANGES THE COUNTY IN WHICH THE REGISTRANT HABITUALLY LIVES;

(ii) the duties of a registrant under [§ 11-705(e) and (f)] § 11-705 of this subtitle;

(iii) the requirement for a [child sexual] **SEX** offender to register in person with the local law enforcement unit of ~~the~~ **EACH** county where the [child sexual] **SEX** offender will reside **OR HABITUALLY LIVE** or where the [child sexual] **SEX** offender who is not a resident of this State is a transient or will work or attend school; and

(iv) the requirement that if the registrant changes residence address, employment, or school enrollment to another state that has a registration requirement, the registrant shall register with the designated law enforcement unit **OR SEX OFFENDER REGISTRATION UNIT** of that state within ~~[7]~~ **3** days after the change; and

(3) obtain a statement signed by the registrant acknowledging that the supervising authority explained the requirements of this subtitle and gave written notice of the requirements to the registrant.

(b) (1) The supervising authority shall obtain an updated [photograph and fingerprints] **DIGITAL IMAGE, FINGERPRINTS, AND PALM PRINTS** of the registrant and [attach] **FORWARD** the updated [photograph and fingerprints] **DIGITAL IMAGE, FINGERPRINTS, AND PALM PRINTS** to the [registration statement] **DEPARTMENT**.

(2) For a registrant who has not submitted a DNA sample, as defined in § 2–501 of the Public Safety Article, for inclusion in the statewide DNA database system of the Department of State Police Crime Laboratory, the supervising authority shall:

(i) obtain a DNA sample from the registrant at the registrant's initial registration; and

(ii) provide the sample to the statewide DNA database system of the Department of State Police Crime Laboratory.

[(3) This subsection does not apply if the registrant is required to register under § 11–704 of this subtitle solely as a result of a misdemeanor conviction.]

(c) (1) Within ~~[5]~~ **3** days after obtaining a registration statement, the supervising authority shall send a copy of the registration statement with the attached fingerprints [and updated photograph], **PALM PRINTS, AND UPDATED DIGITAL IMAGE** of the registrant to the local law enforcement unit in ~~the~~ **EACH** county where the registrant will reside **OR HABITUALLY LIVE** or where a registrant who is not a resident is a transient or will work or attend school.

(2) (i) If the registrant is enrolled in or carries on employment at, or is expecting to enroll in or carry on employment at, an institution of higher education in the State, within ~~[5]~~ **3** days after obtaining a registration statement, the supervising authority shall send a copy of the registration statement with the attached fingerprints [and updated photograph], **PALM PRINTS, AND UPDATED DIGITAL IMAGE** of the registrant to the campus police agency of the institution of higher education.

(ii) If an institution of higher education does not have a campus police agency, the copy of the registration statement with the attached fingerprints [and updated photograph], **PALM PRINTS, AND UPDATED DIGITAL IMAGE** of the registrant shall be provided to the local law enforcement agency having primary jurisdiction for the campus.

(d) As soon as possible but not later than ~~[5]~~ **3** working days after the registration is complete, a supervising authority that is not a unit of the Department shall send the registration statement to the Department.

11-709.

(a) (1) (i) ~~[Every 3 months within 5]~~ **WITHIN 3** days after a **TIER III SEX OFFENDER OR A** sexually violent predator completes the registration requirements of § 11-707(a) of this subtitle, a local law enforcement unit shall send notice of the **TIER III SEX OFFENDER'S OR** sexually violent predator's quarterly registration to the Department.

(ii) Every 6 months within ~~[5]~~ **3** days after a [child sexual offender] **TIER I SEX OFFENDER OR A TIER II SEX OFFENDER** completes the registration requirements of § 11-707(a) of this subtitle, a local law enforcement unit shall send notice of the [child sexual offender's] **TIER I SEX OFFENDER'S OR A TIER II SEX OFFENDER'S** biannual registration to the Department.

(2) Every 6 months, a local law enforcement unit shall send a [child sexual] **TIER III SEX** offender's and sexually violent predator's updated [photograph] **DIGITAL IMAGE** to the Department within 6 days after the [photograph] **DIGITAL IMAGE** is submitted.

(b) (1) As soon as possible but not later than ~~[5]~~ **3** working days after receiving a registration statement of a [child sexual offender or] **SEX OFFENDER**, notice of a change of address of a [child sexual] **SEX** offender, **OR CHANGE IN THE A COUNTY IN WHICH A HOMELESS SEX OFFENDER HABITUALLY LIVES**, a local law enforcement unit shall send written notice of the registration statement [or], change of address, **OR CHANGE OF COUNTY** to the county superintendent, as defined in § 1-101 of the Education Article, and all nonpublic primary and secondary schools in the county within 1 mile of where the [child sexual] **SEX** offender is to reside **OR**

1 **HABITUALLY LIVE** or where a [child sexual] **SEX** offender who is not a resident of the  
2 State is a transient or will work or attend school.

3 (2) As soon as possible but not later than 10 working days after  
4 receiving notice from the local law enforcement unit under paragraph (1) of this  
5 subsection, the county superintendent shall send written notice of the registration  
6 statement to principals of the schools under the superintendent's supervision that the  
7 superintendent considers necessary to protect the students of a school from a [child  
8 sexual] **SEX** offender.

9 (c) A local law enforcement unit that receives a notice from a supervising  
10 authority under this subtitle shall send a copy of the notice to the police department, if  
11 any, of a municipal corporation if the registrant:

12 (1) is to reside **OR HABITUALLY LIVE** in the municipal corporation  
13 after release;

14 (2) escapes from a facility but resided **OR HABITUALLY LIVED** in the  
15 municipal corporation before being committed to the custody of a supervising  
16 authority; or

17 (3) is to change addresses to another place of residence within the  
18 municipal corporation.

19 (d) As soon as possible but not later than ~~[5]~~ **3** working days after receiving  
20 notice from a local law enforcement unit under this section, a police department of a  
21 municipal corporation shall send a copy of the notice to the commander of ~~the~~ **EACH**  
22 local police precinct or district in which the [child sexual] **SEX** offender is to reside **OR**  
23 **HABITUALLY LIVE** or where a [child sexual] **SEX** offender who is not a resident of the  
24 State will work or attend school.

25 (e) As soon as possible but not later than ~~[5]~~ **3** working days after receiving a  
26 notice from a supervising authority under this subtitle, a local law enforcement unit  
27 shall send a copy of the notice to the commander of the law enforcement unit in ~~the~~  
28 **EACH** district or area in which the [child sexual] **SEX** offender is to reside **OR**  
29 **HABITUALLY LIVE** or where a [child sexual] **SEX** offender who is not a resident of the  
30 State will work or attend school.

31 (f) A local law enforcement unit may notify the following entities that are  
32 located within the community in which a [child sexual] **SEX** offender is to reside **OR**  
33 **HABITUALLY LIVE** or where a [child sexual] **SEX** offender who is not a resident of the  
34 State will work or attend school of the filing of a registration statement or notice of  
35 change of address **OR COUNTY WHERE THE REGISTRANT WILL HABITUALLY LIVE**  
36 by the [child sexual] **SEX** offender:



(1) family day care homes or child care centers registered [or licensed], LICENSED, OR ISSUED A LETTER OF COMPLIANCE under Title 5, Subtitle 5 of the Family Law Article;

(2) child recreation facilities;

(3) faith institutions; and

(4) other organizations that serve children and other individuals vulnerable to [child sexual] SEX offenders WHO VICTIMIZE CHILDREN.

(G) AS SOON AS POSSIBLE, BUT NOT LATER THAN 3 WORKING DAYS AFTER RECEIPT OF A REGISTRANT'S CHANGE OF RESIDENCE OR CHANGE IN THE COUNTY IN WHICH THE REGISTRANT HABITUALLY LIVES, THE LOCAL LAW ENFORCEMENT UNIT SHALL NOTIFY THE DEPARTMENT OF THE CHANGE.

(H) AS SOON AS POSSIBLE, BUT NOT LATER THAN 3 WORKING DAYS AFTER RECEIPT OF NOTICE UNDER § 11-705(E) OF THIS SUBTITLE, THE LOCAL LAW ENFORCEMENT UNIT SHALL GIVE NOTICE TO THE DEPARTMENT OF THE REGISTRANT'S INTENT TO CHANGE RESIDENCE, ~~THE~~ A COUNTY IN WHICH THE REGISTRANT HABITUALLY LIVES, VEHICLE OR LICENSE PLATE INFORMATION, ELECTRONIC MAIL OR INTERNET IDENTIFIERS, OR ~~HOME OR CELL~~ LANDLINE OR CELLULAR PHONE NUMBERS.

(I) AS SOON AS POSSIBLE, BUT NOT LATER THAN 3 WORKING DAYS AFTER RECEIPT OF NOTICE UNDER § 11-705(G) OF THIS SUBTITLE, THE LOCAL LAW ENFORCEMENT UNIT SHALL GIVE NOTICE TO THE DEPARTMENT OF THE CHANGE OF NAME.

(J) AS SOON AS POSSIBLE, BUT NOT LATER THAN 3 WORKING DAYS AFTER RECEIPT OF NOTICE UNDER § 11-705(H) OF THIS SUBTITLE, THE LOCAL LAW ENFORCEMENT UNIT SHALL GIVE NOTICE TO THE DEPARTMENT OF THE REGISTRANT'S INTENT TO LEAVE THE UNITED STATES.

(K) AS SOON AS POSSIBLE, BUT NOT LATER THAN 3 WORKING DAYS AFTER RECEIPT OF NOTICE UNDER § 11-705(I) OF THIS SUBTITLE, THE LOCAL LAW ENFORCEMENT UNIT SHALL GIVE NOTICE TO THE DEPARTMENT OF THE REGISTRANT'S INTENT TO OBTAIN TEMPORARY LODGING OR TO BE ABSENT FROM THE REGISTRANT'S PERMANENT RESIDENCE OR ~~LOCATION~~ LOCATIONS WHERE THE REGISTRANT HABITUALLY LIVES.

11-710.

(a) As soon as possible but not later than **[5] 3** working days after receipt of notice of a registrant's change of address, ~~THE A COUNTY IN WHICH THE A REGISTRANT HABITUALLY LIVES, VEHICLE OR LICENSE PLATE INFORMATION, ELECTRONIC MAIL OR INTERNET IDENTIFIERS, OR HOME OR CELL LANDLINE OR CELLULAR PHONE NUMBERS,~~ the Department shall give notice of the change:

(1) if the registration is premised on a conviction under federal, military, or Native American tribal law, to the designated federal unit; [and]

(2) **TO ANY OTHER JURISDICTION OR FOREIGN COUNTRY WHERE THE SEX OFFENDER IS REQUIRED TO REGISTER; AND**

(3) (i) to ~~the~~ **EACH** local law enforcement unit in whose county the new residence is located **OR WHERE THE REGISTRANT INTENDS TO HABITUALLY LIVE;** or

(ii) if the new residence **OR LOCATION WHERE THE REGISTRANT WILL HABITUALLY LIVE** is in a different state that has a registration requirement, to the designated law enforcement unit **OR SEX OFFENDER REGISTRATION UNIT** in that state.

(b) (1) (i) As soon as possible but not later than **[5] 3** working days after receipt of notice under **[§ 11-705(e)] § 11-705(F)** of this subtitle, the Department shall give notice to the campus police agency of the institution of higher education where the registrant is commencing or terminating enrollment or employment.

(ii) If an institution of higher education does not have a campus police agency, the notice required under this section shall be provided to the local law enforcement [agency] **UNIT** having primary [jurisdiction] **LAW ENFORCEMENT AUTHORITY** for the campus.

(2) Institutions of higher education currently required to disclose campus security policy and campus crime statistics data shall advise the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be obtained.

(3) An institution of higher education is not prohibited from disclosing information provided to the institution under this subtitle concerning registered sex offenders.

(c) As soon as possible but not later than **[5] 3** working days after receipt of notice under **[§ 11-705(f)] § 11-705(G)** of this subtitle, the Department shall give notice of the change of name:

(1) if the registration is due to a conviction under federal, military, or Native American tribal law, to the designated federal unit;

(2) to ~~the~~ **EACH** local law enforcement unit in whose county the registrant resides **OR HABITUALLY LIVES** or where a registrant who is not a resident of the State will work or attend school; and

(3) if the registrant is enrolled in or employed at an institution of higher education in the State, to:

(i) the campus police agency of the institution of higher education; or

(ii) if the institution does not have a campus police agency, the local law enforcement [agency] **UNIT** having primary jurisdiction for the campus.

11-712.

(a) If a registrant escapes from a facility, the supervising authority of the facility by the most reasonable and expedient means available shall immediately notify:

(1) ~~the~~ **EACH** local law enforcement unit [in the jurisdiction] where the registrant resided **OR HABITUALLY LIVED** before the registrant was committed to the custody of the supervising authority; and

(2) each person who is entitled to receive notice under § 11-715(a) of this subtitle.

(b) If the registrant is recaptured, the supervising authority shall send notice, as soon as possible but not later than 2 working days after the supervising authority learns of the recapture, to:

(1) ~~the~~ **EACH** local law enforcement unit [in the jurisdiction] where the registrant resided **OR HABITUALLY LIVED** before the registrant was committed to the custody of the supervising authority; and

(2) each person who is entitled to receive notice under § 11-715(a) of this subtitle.

11-713.

The Department:

(1) as soon as possible but not later than **[5] 3** working days after receiving the conviction data and fingerprints of a registrant, shall transmit the data

1 and fingerprints to the Federal Bureau of Investigation if the Bureau does not have  
2 that information;

3 (2) shall keep a central registry of registrants AND A LISTING OF  
4 JUVENILE SEX OFFENDERS;

5 (3) shall reimburse local law enforcement units for the cost of  
6 processing the registration statements of registrants, including the cost of taking  
7 fingerprints [and photographs], **PALM PRINTS, AND DIGITAL IMAGES**; [and]

8 (4) shall reimburse local law enforcement units for the reasonable  
9 costs of implementing community notification procedures;

10 **(5) SHALL BE RESPONSIBLE FOR RECEIVING AND DISTRIBUTING**  
11 **ALL INTRASTATE, FEDERAL, AND FOREIGN GOVERNMENT COMMUNICATIONS**  
12 **RELATING TO THE REGISTRATION OF SEX OFFENDERS; AND**

13 **(6) SHALL NOTIFY ALL JURISDICTIONS WHERE THE REGISTRANT**  
14 **WILL RESIDE, CARRY ON EMPLOYMENT, OR ATTEND SCHOOL WITHIN 3 DAYS OF**  
15 **CHANGES IN THE REGISTRANT'S REGISTRATION.**

16 11-714.

17 A registration statement given to a person under this subtitle shall include a  
18 copy of the completed registration form and a copy of the registrant's [photograph]  
19 **DIGITAL IMAGE**, but need not include the fingerprints **OR PALM PRINTS** of the  
20 registrant.

21 11-717.

22 (a) (1) The Department shall make available to the public registration  
23 statements or information about registration statements.

24 (2) Information about registration statements shall include, in plain  
25 language that can be understood without special knowledge of the criminal laws of the  
26 State, a FACTUAL description of the crime of the offender that is the basis for the  
27 registration, excluding details that would identify the victim.

28 **(3) REGISTRATION INFORMATION PROVIDED TO THE PUBLIC MAY**  
29 **NOT INCLUDE A SEX OFFENDER'S SOCIAL SECURITY NUMBER, DRIVER'S**  
30 **LICENSE NUMBER, MEDICAL OR THERAPEUTIC TREATMENT, TRAVEL AND**  
31 **IMMIGRATION DOCUMENT NUMBERS, AND ARRESTS NOT RESULTING IN**  
32 **CONVICTION.**

33 (b) The Department ~~may~~ **SHALL** post on the Internet;

(1) a current listing of each registrant's name, ~~crime~~, and other identifying information; AND

(2) IN PLAIN LANGUAGE THAT CAN BE UNDERSTOOD WITHOUT SPECIAL KNOWLEDGE OF THE CRIMINAL LAWS OF THE STATE, A FACTUAL DESCRIPTION OF THE CRIME OF THE OFFENDER THAT IS THE BASIS FOR THE REGISTRATION, EXCLUDING DETAILS THAT WOULD IDENTIFY THE VICTIM.

(c) The Department, through an Internet posting of current registrants, shall:

(1) allow the public to electronically transmit information the public may have about a registrant to the Department, a parole agent of a registrant, and ~~the~~ EACH local law enforcement unit where a registrant resides **OR HABITUALLY LIVES** or where a registrant who is not a resident of the State will work or attend school; **AND**

(2) **PROVIDE INFORMATION REGARDING THE OUT-OF-STATE REGISTRATION STATUS FOR EACH REGISTRANT WHO IS ALSO REGISTERED IN ANOTHER STATE AS AVAILABLE THROUGH A NATIONAL SEX OFFENDER PUBLIC REGISTRY WEBSITE ~~OR THROUGH THE NATIONAL CRIME PREVENTION AND PRIVACY COMPACT UNDER TITLE 10, SUBTITLE 2, PART V OF THIS ARTICLE.~~**

(d) The Department shall allow members of the public who live in ~~the~~ A county in which ~~the~~ A registrant is to reside **OR HABITUALLY LIVES LIVE** or where the registrant, if not a resident of the State, will work or attend school, by request, to receive electronic mail notification of the release from incarceration of ~~a~~ THE registered offender and the registration information of the offender.

(e) The Department shall establish regulations to carry out this section.  
11-718.

(a) (1) If the Department or a local law enforcement unit finds that, to protect the public from a specific registrant, it is necessary to give notice of a registration statement [or], a change of address of the registrant, **OR A CHANGE IN THE A COUNTY IN WHICH THE REGISTRANT HABITUALLY RESIDES LIVES** to a particular person not otherwise identified under § 11-709 of this subtitle, then the Department or a local law enforcement unit shall give notice of the registration statement to that person.

(2) This notice is in addition to the notice required under § 11-709(b)(1) of this subtitle.

1 11-721.

2 (a) A registrant may not knowingly fail to register, knowingly fail to provide  
3 the [written] notice required under § [11-705(d), (e), or (f)] **11-705** of this subtitle,  
4 **KNOWINGLY FAIL TO PROVIDE ANY INFORMATION REQUIRED TO BE INCLUDED IN**  
5 **A REGISTRATION STATEMENT DESCRIBED IN § 11-706 OF THIS SUBTITLE,** or  
6 knowingly provide false information of a material fact as required by this subtitle.

7 (b) A person who violates this section:

8 (1) for a first offense, is guilty of a misdemeanor and on conviction is  
9 subject to imprisonment not exceeding 3 years or a fine not exceeding \$5,000 or both;  
10 and

11 (2) for a second or subsequent offense, is guilty of a felony and on  
12 conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding  
13 \$10,000 or both.

14 (c) A person who violates this section is subject to § 5-106(b) of the Courts  
15 Article.

16 SECTION 2. AND BE IT FURTHER ENACTED, That on or before December  
17 31, 2010, the Department of Public Safety and Correctional Services, ~~in consultation~~  
18 ~~with the Department of State Police,~~ shall adopt regulations to implement the listing  
19 of juvenile sex offenders in accordance with this Act, including a definition of “law  
20 enforcement personnel” who are authorized to access the listing.

21 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That if any provision of this  
22 Act or the application thereof to any person or circumstance is held invalid for any  
23 reason in a court of competent jurisdiction, the invalidity does not affect other  
24 provisions or any other application of this Act which can be given effect without the  
25 invalid provision or application, and for this purpose the provisions of this Act are  
26 declared severable.

27 SECTION ~~3~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take  
28 effect October 1, 2010.